

1-1 By: Smithee (Senate Sponsor - Flores) H.B. No. 3664
1-2 (In the Senate - Received from the House May 16, 2025;
1-3 May 16, 2025, read first time and referred to Committee on Criminal
1-4 Justice; May 28, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 May 28, 2025, sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Flores	X		
1-10	Parker	X		
1-11	Hagenbuch	X		
1-12	Hinojosa of Hidalgo	X		
1-13	Huffman	X		
1-14	King	X		
1-15	Miles	X		

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3664 By: Parker

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the training of prospective grand jurors and to grand
1-20 jury proceedings.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter C, Chapter 19A, Code of Criminal
1-23 Procedure, is amended by adding Article 19A.1021 to read as
1-24 follows:

1-25 Art. 19A.1021. TRAINING OF PROSPECTIVE GRAND JURORS
1-26 REQUIRED. Before a prospective grand juror may be accepted and
1-27 impaneled, each person who is presented to serve as a grand juror
1-28 must complete the training described by Section 72.0365, Government
1-29 Code. The acceptance and impanelment of a prospective grand juror
1-30 who has not completed the training described by Section 72.0365,
1-31 Government Code, does not affect the validity of a grand jury
1-32 proceeding and may not be used by a defendant as a ground for
1-33 appeal, a ground to set aside an indictment, conviction, or
1-34 sentence, or a ground in a habeas corpus petition.

1-35 SECTION 2. Subchapter A, Chapter 20A, Code of Criminal
1-36 Procedure, is amended by adding Article 20A.002 to read as follows:

1-37 Art. 20A.002. WHO MAY BE INVESTIGATED. (a) Except as
1-38 provided by Subsection (b), a grand jury may not investigate a
1-39 person who is accused or suspected of an offense and may not vote to
1-40 present an indictment for the offense if the person has previously
1-41 been investigated by a grand jury for the same offense and that
1-42 grand jury found no bill of indictment.

1-43 (b) A grand jury may investigate, and may present an
1-44 indictment with respect to, a person described by Subsection (a)
1-45 only if the attorney representing the state presents evidence that
1-46 was not known to the state before or during the previous grand jury
1-47 investigation.

1-48 SECTION 3. The heading to Subchapter F, Chapter 20A, Code of
1-49 Criminal Procedure, is amended to read as follows:

1-50 SUBCHAPTER F. WITNESSES; EVIDENCE

1-51 SECTION 4. Subchapter F, Chapter 20A, Code of Criminal
1-52 Procedure, is amended by adding Article 20A.260 to read as follows:

1-53 Art. 20A.260. PRESENTATION OF EXCULPATORY EVIDENCE. Before
1-54 the grand jury votes on the presentation of an indictment as
1-55 described by Article 20A.301, the attorney representing the state
1-56 shall disclose to the grand jury any exculpatory evidence known to
1-57 the attorney representing the state at the time of presentment to
1-58 the grand jury.

1-59 SECTION 5. Subchapter G, Chapter 20A, Code of Criminal
1-60 Procedure, is amended by adding Article 20A.3025 to read as

follows:

Art. 20A.3025. CERTIFICATION OF EXCULPATORY EVIDENCE. (a)
At the time the indictment is prepared and delivered to the
foreperson under Article 20A.302(a), the attorney representing the
state shall prepare and shall deliver to the foreperson a statement
that:

(1) is signed by the attorney representing the state;
and

(2) includes a list of the exculpatory evidence
presented to the grand jury under Article 20A.260.

(b) The foreperson shall certify that the statement
prepared and delivered under Subsection (a) includes the complete
list of exculpatory evidence presented to the grand jury under
Article 20A.260, and the foreperson shall sign the statement.

(c) The statement described by Subsections (a) and (b) must
be notarized. A notarized statement under this article is
self-authenticating under Rule 902, Texas Rules of Evidence.

SECTION 6. Subchapter C, Chapter 72, Government Code, is
amended by adding Section 72.0365 to read as follows:

Sec. 72.0365. TRAINING COURSE FOR PROSPECTIVE GRAND JURORS.

(a) Before a prospective grand juror maybe accepted and impaneled
under Chapter 19A, Code of Criminal Procedure, the prospective
grand juror shall complete a training course regarding grand jury
proceedings that is administered by the office.

(b) The training course required by Subsection (a):

(1) must include instruction regarding:

(A) the purpose and rules of grand jury service;
(B) the grand juror selection process; and
(C) grand jury procedures and deliberations; and

(2) may be offered online.

(c) The Texas Judicial Council shall adopt rules as
necessary to implement this section, including rules regarding the
content of the training course required by Subsection (a).

SECTION 7. As soon as practicable after the effective date
of this Act, the Texas Judicial Council shall adopt rules as
required by Section 72.0365, Government Code, as added by this Act.

SECTION 8. The changes in law made by this Act apply only to
a grand jury impaneled on or after the effective date of this Act. A
grand jury impaneled before the effective date of this Act is
governed by the law in effect on the date the grand jury was
impaneled, and the former law is continued in effect for that
purpose.

SECTION 9. This Act takes effect January 1, 2026.

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